

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 804 OF 2005

IN

APPEAL FROM ORDER NO. 43 OF 2005

THE STATE OF GOA, REPRESENTED BY
THE EXECUTIVE ENGINEER,

....Applicant

Versus

M/S. STEELCRETE CONSTRUCTIONS A
PROPRIETORSHIP CONCERN OF LATE
SHRI PRABHAKAR S.PAI ANGLE(DEC)BY
LRS

....Respondent

Shri S.S. Kantak, Advocate General with Ms. Rakhi M. Chodankar, Addl.
Govt. Advocate for the Applicant.

Coram:- D. D. SINHA, J.

Date:- 25th November, 2005

P.C.:

Heard the learned Advocate General for the Applicant.

Misc. Civil Application No.804/05 is moved for restoration of Appeal from Order No.43/05. Considered the contentions canvassed by the learned Advocate General. It is not in dispute that when the matter was dismissed for want of prosecution, no notice was issued in the said matter to the respondent by this Court.

The application is allowed, subject to payment of costs of Rs.500/- to be paid to the State Legal Services Authority within a period of three days. The applicant is directed to deposit the acknowledgment thereof in the Registry of this Court. On submission of such acknowledgment, Order dated 26.10.05 shall stand revoked and Appeal from Order

No.43/05 shall stand restored in the file of this Court. The Office is directed to list the appeal for admission on Tuesday, 29.11.2005.

Application disposed of accordingly.

D. D. SINHA, J.

sl.